

**Supreme Court of the United States  
Washington, D. C. 20543**

CHAMBERS OF  
THE CHIEF JUSTICE

September 13, 2004

Honorable Bill Frist  
Majority Leader  
United States Senate  
S-230 United States Capitol  
Washington, D.C. 20510

Honorable Thomas A. Daschle  
Minority Leader  
United States Senate  
S-221 United States Capitol  
Washington, D.C. 20510

Dear Senator Frist and Senator Daschle:

As Presiding Officer of the Judicial Conference of the United States, I respectfully request that the Congress take timely action to provide funds required by the federal judiciary for fiscal year 2005 to meet its constitutional and statutory responsibilities. I make this request because of the reports we are receiving that Congress may adjourn for the upcoming elections without passing an appropriations bill for the judicial branch and that funding for the federal courts would be included in a long-term continuing resolution (CR).

The Judicial Conference is very concerned that, under such a CR, the courts would have to operate at fiscal year 2004 funding levels for up to five months until Congress enacts a final appropriations bill. This amounts to a hard freeze in appropriations that would be devastating to the judiciary. The constrained fiscal year 2004 appropriation under which the courts are currently operating has resulted in hundreds of probation officers and court staff being fired or furloughed in spite of the growing workload they face. Under a CR, the courts will be forced to continue to operate at these low fiscal year 2004 funding levels in fiscal year 2005, resulting in even larger staff reductions, possibly affecting thousands of valued employees. As you know, the judicial branch is not only essential to the federal justice system in general, but it plays a vital role in our nation's law enforcement and homeland security. The courts must have an adequate level of resources at the beginning of the fiscal year if they are to meet these responsibilities.

Honorable Bill Frist  
Honorable Thomas Daschle  
Page Two

With this concern in mind, the Judicial Conference passed unanimously the enclosed resolution requesting that the Congress and the President exempt the federal judiciary from a continuing resolution and instead provide full-year funding at least at the current services levels contained in the House-passed version of the judiciary's 2005 appropriations bill (H.R. 4754). I would point out that the level of funding in the House-passed bill is well below the amount required by the courts to meet their workload needs and only funds current operating levels.

To avoid compromising our ability to administer justice, I believe it is critical that the Congress take action in the remaining weeks of this session to provide sufficient and timely funding to the judiciary. The proposal by the Judicial Conference would do just that, and I ask for your support to accomplish this.

Sincerely,

A handwritten signature in black ink, reading "William H. Rehnquist". The signature is written in a cursive, flowing style with a large initial "W".

Enclosure

cc: Honorable Ted Stevens  
Honorable Robert C. Byrd  
Honorable Judd Gregg  
Honorable Ernest F. Hollings  
Honorable Orrin G. Hatch  
Honorable Patrick J. Leahy